

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-30019-MAP
)	
JUAN PAGAN,)	
Defendant.)	

FINAL ORDER OF FORFEITURE

PONSOR, D.J.,

WHEREAS, on May 8, 2006, a two-count Information was filed charging Defendant Juan Pagan (the "Defendant") with Possession with Intent to Distribute Cocaine and Cocaine Base, in violation of 21 U.S.C. § 841(a)(1);

WHEREAS, the Information also sought the forfeiture, as a result of committing the offenses alleged in Counts One and Two of the Information, of any and all property constituting, or derived from, any proceeds the Defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations, including, but not limited to \$10,010.00 in United States currency, seized on July 7, 2005, from 168 Fox Hill Lane, Apartment 115, Enfield, Connecticut (the "Currency");

WHEREAS, the Information further provided that, if the property described in the Forfeiture Allegation, as a result of any act or omission by the Defendant, (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold

to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty, the United States is entitled to seek forfeiture of any other property of the Defendant, up to the value of the property, pursuant to 21 U.S.C. § 853(p);

WHEREAS, on May 8, 2006, at a Waiver of Indictment and Plea to Information hearing, the Defendant pled guilty to Counts One and Two of the Information;

WHEREAS, September 7, 2006, this Court issued a Preliminary Order of Forfeiture, pursuant to 21 U.S.C. § 853, and Rule 32.2 of the Federal Rules of Criminal Procedure, against the Currency;

WHEREAS, on October 10, 2006, October 17, 2006, and October 24, 2006, a Notice of Order of Forfeiture was published in the Springfield Republican newspaper pursuant to 21 U.S.C. § 853(n); and

WHEREAS, to date, no other claims of interest in the Currency have been filed with the Court and the time within which to do so has expired.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The United States' Motion for a Final Order of Forfeiture is allowed.
2. The United States of America is now entitled to the

forfeiture of all right, title or interest in the Currency, and it is hereby forfeited to the United States of America pursuant to the provisions of 21 U.S.C. § 853.

3. All other parties, having any right, title, or interest in the Currency, are hereby held in default.

4. The United States Marshals Service is hereby authorized to dispose of the Currency in accordance with applicable law.

DONE AND ORDERED in Boston, Massachusetts, this 20th day of November, 2007.

A handwritten signature in black ink, reading "Michael A. Ponsor". The signature is written in a cursive style with a large, stylized "M" and "P".

MICHAEL A. PONSOR
United States District Judge

Dated: